

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

Case No. 22-mj-26

JOSE EDUARDO DOMINGUEZ-GARCIA,

Defendant.

COMPLAINT FOR VIOLATION OF
TITLE 18, UNITED STATES CODE, SECTION 1073

BEFORE United States Magistrate Judge
Stephen L. Crocker

United States District Court
120 North Henry Street
Madison, Wisconsin 53703

The undersigned complainant being duly sworn states: from on or about July 24, 2020, until the present, in the Western District of Wisconsin and elsewhere, the defendant,

JOSE EDUARDO DOMINGUEZ-GARCIA,

moved and traveled in interstate commerce with intent to avoid prosecution for crimes which are felonies, specifically, First-Degree Intentional Homicide, First-Degree Intentional Homicide-Unborn Child, and Hiding a Corpse, in violation of Sections 940.01(1)(a), 940.01(1)(b), and 940.11(2), of the Wisconsin Statutes.

(All in violation of Title 18, United States Code, Section 1073).

Steven V. Telisak
Special Agent, FBI

Sworn to me telephonically this 4th day of March, 2022

HONORABLE STEPHEN L. CROCKER
United States Magistrate Judge

COUNTY OF DANE)
) ss
STATE OF WISCONSIN)

AFFIDAVIT

I, Steven V. Telisak, first being duly sworn under oath, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation and have been so employed since August 2014.
2. I am presently assigned to the Eau Claire, Wisconsin Resident Agency, where my responsibilities include investigating violations of 18 U.S.C § 1073.
3. I have verified that there is an outstanding arrest warrant issued by the Chippewa County Circuit Court, State of Wisconsin, authorizing the arrest of JOSE EDUARDO DOMINGUEZ-GARCIA (DOB: September 25, 1997), based on a complaint charging him in Chippewa County Circuit Court Case No. 2021CF000819 with, First-Degree Intentional Homicide, First-Degree Intentional Homicide-Unborn Child, and Hiding a Corpse. A copy of the complaint and warrant are attached to this affidavit as **Attachments 1 and 2**. As set forth in the complaint, DOMINGUEZ-GARCIA is charged with a felony under Wisconsin law.
4. Much of the information contained in this affidavit comes from information which has been provided to me by other law enforcement officials, whom I believe to be reliable.
5. I obtained the information set forth in these paragraphs from the FBI, Chippewa County Sheriff's Office (CCSO), and Reedsburg Police Department (RPD) reports.

6. On July 2, 2020, Rosaly Cindy Chavarria-Rodriguez, a 24-year-old Asian-Hispanic female, was last seen at her place of employment, Sprecher's Restaurant and Pub in Lake Delton, Wisconsin, arguing with her husband, DOMINGUEZ-GARCIA. Rodriguez had not been seen or heard from since. DOMINGUEZ-GARCIA did not report his wife missing until 19 days later, on July 21, 2020.

7. According to telephone records provided by RPD, DOMINGUEZ-GARCIA's telephone number ending in 9311 and Rodriguez's telephone number ending in 1594 pinged off the same cell tower on three separate dates between when DOMINGUEZ-GARCIA claimed he last saw Rodriguez and when he reported her missing, indicating both devices were located in the same vicinity at the same time.

8. Most significantly, on July 21, 2020, at 19:43, DOMINGUEZ-GARCIA reported Rodriguez missing, yet their phones were pinged off the same cell tower at 11:55 AM (GMT) that morning. DOMINGUEZ-GARCIA claimed Rodriguez was in possession of her cell phone the last time she was seen, and authorities have not found the device, so this data suggests that DOMINGUEZ-GARCIA was in close proximity to Rodriguez's missing cell phone on the day he reported her missing.

9. Interviews conducted by the RPD in early August 2020, found DOMINGUEZ-GARCIA quit his multiple jobs in the Lake Delton area between July 21 and July 23, 2020.

10. On July 23, 2020, DOMINGUEZ-GARCIA was interviewed by the RPD. DOMINGUEZ-GARCIA said there were rumors going around that he was responsible for Rodriguez's disappearance. He said this was not true. DOMINGUEZ-GARCIA reported that on June 2, 2020, Rodriguez took a pregnancy test and Rodriguez and

DOMINGUEZ-GARCIA learned she was pregnant. This was confirmed by later visits to medical providers in Baraboo, Wisconsin who informed them Rodriguez was two months and two weeks into her pregnancy. DOMINGUEZ-GARCIA told RPD that on July 2, 2020, he went to pick Rodriguez up from work and Rodriguez told him she did not want to be with him anymore. DOMINGUEZ-GARCIA said Rodriguez told him she was going to Chicago, Illinois to start a new life. He said that on July 5, 2020, he received a text message from Rodriguez informing him that she had been dating another guy for three months and that person was actually the father of her child. DOMINGUEZ-GARCIA denied being involved in Rodriguez's disappearance. Towards the end of the interview, DOMINGUEZ-GARCIA gave consent for law enforcement to search his residence. However, when officers showed up at his residence approximately 40 minutes after DOMINGUEZ-GARCIA left the police station, he did not answer the door. Eventually, DOMINGUEZ-GARCIA's younger brother answered the door and permitted officers to search the home. DOMINGUEZ-GARCIA has not been seen since being interviewed by RPD on July 23, 2020.

11. On July 23, 2020, following the RPD interview, DOMINGUEZ-GARCIA called RPD and informed them he would be gone for a couple of days while he traveled to Chicago to look for his wife and file another missing person report for her there. DOMINGUEZ-GARCIA provided telephone number 608-432-9238 (9238) as another contact number for him. DOMINGUEZ-GARCIA's telephone number ending in 9238 pinged off of multiple cell towers located in Chippewa County, Wisconsin, between July 23 - August 10, 2020.

12. Between July 29 and August 1, 2020, DOMINGUEZ-GARCIA returned to one of his jobs, an IHOP in Wisconsin Dells, Wisconsin, to collect a paycheck. The IHOP manager inquired with DOMINGUEZ-GARCIA why he did not return to work after leaving his shift early on July 21, 2022. DOMINGUEZ-GARCIA told her, he “has problems.” When the IHOP manager told DOMINGUEZ-GARCIA everyone had problems and DOMINGUEZ-GARCIA still needed to work, DOMINGUEZ-GARCIA told her they were “police problems.”

13. On August 26, 2020, one of DOMINGUEZ-GARCIA’s vehicles, a red, 2003 Volkswagen Jetta, was found abandoned in a hotel parking lot in Lake Delton and taken to a local tow yard. Inspection of the vehicle revealed remnants of a decomposed body in the trunk. Receipts were also found in the vehicle, showing DOMINGUEZ-GARCIA traveled to Tulsa, Oklahoma, after police contact, and purchased a new cell phone at a Wal-Mart in Eau Claire, Wisconsin, on 23 July 2020.

14. On October 14, 2020, human remains were located in a suitcase on an abandoned property, 2655 County Highway T, Eau Claire (approximate latitude 44.88111, longitude -91.54666) by the CCSO. Evidence recovered at the scene included a name tag with the name “Rosaly,” and a black shirt on the human remains with “Sprecher’s Restaurant and Pub” written on it.

15. DNA evidence from the human remains, along with DNA evidence found in the trunk of DOMINGUEZ-GARCIA’s red Volkswagen Jetta, was collected and sent to the Wisconsin Department of Justice State Crime Lab and the University of North Texas Center for Human Identification. Both labs concluded that the DNA samples analyzed,

and compared to known DNA exemplars of Rodriguez (her biological parents and her lipstick) had indicators of belonging to Rodriguez.

16. On October 26, 2020, law enforcement officers reviewed a Google LLC search warrant response for the Google account, lalocr334@gmail.com, believed to be utilized by DOMINGUEZ-GARCIA. The name on the account was "Jose Garcia" and the phone number associated with the account was 608-432-1594, which was DOMINGUEZ-GARCIA's phone number. On July 16, 2020, from a location near Reedsburg, Wisconsin, searches were conducted for "Flights from Chicago to ? on Aug 1, 2020 returning Aug 5, 2020," and "Fontera de texas con mexico" which translates to "Texas border with Mexico." A search for "a los cuantos dias se desintegra el cuerpo humano" was done on July 21, 2020, while near Reedsburg. That search translates to "after how many days does the human body disintegrate." On July 22, 2020, "Reedsburg Police Department" was searched. On July 26, 2020, "Wisconsin Dells Police Department" was searched while near Tulsa, Oklahoma. On July 29, 2020, searches were made for cheap houses in Mexico and vehicles for sale in Mexico. A search for vehicles on sale in Mexico was done the following day, July 30, as well.

17. On December 27, 2020, a second vehicle owned by DOMINGUEZ-GARCIA was discovered abandoned, without license plates, and towed by the Kansas City Police Department in Kansas City, Kansas.

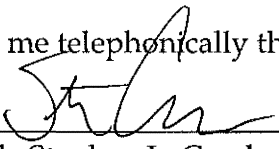
18. In June 2021, RPD received information that DOMINGUEZ-GARCIA had returned to Mexico and was residing at his grandparents' home at Temascalcingo Mexico. That source also reported that her family had seen DOMINGUEZ-GARCIA in June 2021 in Mexico.

19. Based on the above information, it is reasonable to believe that DOMINGUEZ-GARCIA was aware that as of July 23, 2020, law enforcement was actively investigation Rodriguez's disappearance and his potential connection to that disappearance. It is reasonable to infer that based on the seriousness of the offense and investigation, DOMINGUEZ-GARCIA would face prosecution and fled as a result. This is further supported by his statement to his manager and his internet searches.

20. Based on the foregoing, I submit that probable cause exists to show that JOSE EDUARDO DOMINGUEZ-GARCIA (DOB: September 25, 1997) fled from the State of Wisconsin and has moved and traveled in interstate and foreign commerce with the intent to avoid prosecution in Chippewa County, Wisconsin, for First-Degree Intentional Homicide, First-Degree Intentional Homicide-Unborn Child, and Hiding a Corpse, which are felonies under Wisconsin law.

Steven V. Telisak
Special Agent, FBI

Sworn to me telephonically this 4th day of March, 2022.


Honorable Stephen L. Crocker
United States Magistrate Judge

FILED
12-14-2021
Clerk of Circuit Court
Chippewa County, WI
2021CF000819
For Official Use

STATE OF WISCONSIN CIRCUIT COURT CHIPPEWA COUNTY

STATE OF WISCONSIN

Plaintiff,

DA Case No.: 2021CH002141
Assigned DA/ADA: WADE C NEWELL
Agency Case No.: 20CH08662
Court Case No.:

vs.

JOSE E DOMINGUEZ-GARCIA
ADDRESS UNKNOWN

CRIMINAL COMPLAINT

██████ 1997

Defendant.

Jodi Gobrecht, being first duly sworn, states that on information and belief that:

Count 1: FIRST DEGREE INTENTIONAL HOMICIDE

The above-named defendant between July 2, 2020, and October 14, 2020, in Chippewa County, Wisconsin, did cause the death of VICTIM #1, with intent to kill that person, contrary to sec. 940.01(1)(a), 939.50(3)(a) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

Count 2: 1ST-DEGREE INTENTIONAL HOMICIDE - UNBORN CHILD

The above-named defendant between July 2, 2020, and October 14, 2020, in Chippewa County, Wisconsin, did cause the death of an unborn child with the intent to kill the women pregnant with the unborn child, contrary to sec. 940.01(1)(b), 939.50(3)(a) Wis. Stats., a Class A Felony, and upon conviction shall be sentenced to imprisonment for life.

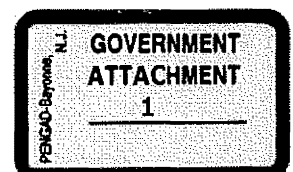
Count 3: HIDING A CORPSE

The above-named defendant between July 2, 2020, and October 14, 2020, in the Town of Wheaton, Chippewa County, Wisconsin, did hide a corpse with the intent to conceal a crime, contrary to sec. 940.11(2), 939.50(3)(f) Wis. Stats., a Class F Felony, and upon conviction may be fined not more than Twenty Five Thousand Dollars (\$25,000), or imprisoned not more than twelve (12) years and six (6) months, or both.

PROBABLE CAUSE:

Complainant is a Legal Secretary for the Chippewa County District Attorney's Office and bases this complaint upon the reports and investigations of the Chippewa County Sheriff's Department and Reedsburg Police Department. Complainant and law enforcement officers from the Chippewa County Sheriff's Department and Reedsburg Police Department are presumed reliable because of the positions of trust they hold as Legal Secretary for the District Attorney and Law Enforcement Officers, respectively.

12/09/2021



STATE OF WISCONSIN - VS - JOSE E DOMINGUEZ-GARCIA

On October 14, 2020, Inv. Kyle Plautz with the Chippewa County Sheriff's Department was advised of, and located, human remains on an abandoned farm, located at 2655 CTH T, Town of Wheaton, Chippewa County, Wisconsin. Inv. Plautz noted that a purple suit case was located on the farm, and that inside the suitcase was degraded human remains. Inv. Plautz noted that a name tag was found near the suitcase. Inv. Plautz did a missing persons search based upon the name on the name tag, and noted that Victim #1 was noted missing in 2020 from the Lake Delton area of Wisconsin.

Inv. Brad Lau with the Chippewa County Sheriff's Department noted that on October 15, 2020, an autopsy was done of the human remains. Inv. Lau noted that clothing was also recovered from the remains. Inv. Lau noted that he was informed by Sgt. Jesse Spears of the Reedsburg Police Department that the clothing matched that of Victim #1, who was last seen wearing that clothing on July 2, 2020, when she was last seen arguing with Jose Dominguez-Garcia. Inv. Lau noted that the human remains were processed in order to attempt to positively identify the identity of the remains. Inv. Lau noted that he received a report from the UNTHSC Center for Human Identification, dated September 27, 2021, which indicates that the remains are consistent that of Victim #1's, due to familial DNA comparison involving the human remains and the DNA of Victim #1's biological parents.

On July 21, 2020, Officer Brendan Cutrell, with the Reedsburg Police Department, met with Jose Dominguez-Garcia, who was reporting Victim #1 as missing. Mr. Garcia stated that on July 4, 2020, they split up due to Victim #1 cheating on him. Mr. Garcia stated that Victim #1 had been talking to her family, but that she had last contacted her family on July 18, 2020. Mr. Garcia stated he had no idea where Victim #1 would be as she had not been at her job since July 4th, and none of her friends knew where she was.

On July 23, 2020, Detective David Frie, with the Reedsburg Police Department, met with Jose Dominguez-Garcia regarding that fact that Victim #1 was missing. Mr. Garcia noted that he was aware that Victim #1 was pregnant in June of 2020. Mr. Garcia admitted that he had an argument with Victim #1 on July 2, 2020, outside of Sprecher's, about the fact that she did not want to see him anymore. Mr. Garcia stated that a couple days later Victim #1 told him that she had been seeing another male, and that the other male was in fact the father of her unborn child.

On August 3, 2020, Officer Cutrell made contact with the general manager of Sprecher's (Lake Delton, Wisconsin). The general manager indicated that Victim #1 last worked on July 2, 2020, and punched out at 10:28pm. The general manager noted that Victim #1 worked as a line cook, and would have been wearing black pants, a black Sprecher's logo shirt, and possibly a hat. The general manager stated that Victim #1 was also scheduled to work on July 3, 2020, but never called or showed up. The general manager stated that on July 3, 2020, Jose Dominguez-Garcia came in and told him that Victim #1 was having troubles leaving her first job, and would be in to talk, but she never came in. The general manager stated that Mr. Garcia picked up Victim #1 final paycheck on July 19, 2020.

On August 6, 2020, Detective Sergeant Spears, with the Reedsburg Police Department, made contact with the owner of Sprecher's regarding Jose Dominguez-Garcia. The owner stated that Mr. Garcia last worked on July 22, 2020, starting at 12:24 p.m., and leaving at 1:56 p.m. after a discussion about Victim #1 missing, at which point Mr. Garcia was allowed to leave work. Det. Sgt. Spears noted that Mr. Garcia did not return back to work after being interviewed by police on July 23, 2020, after a consent search was conducted at his home. The owner stated that Mr. Garcia never returned to work, and never returned until he picked up his last paycheck on July 31, 2020.

STATE OF WISCONSIN - VS - JOSE E DOMINGUEZ-GARCIA

On August 26, 2020, Det. Sgt. Jesse Spears was advised of the whereabouts of a vehicle with ties to Jose Dominguez-Garcia. Det. Sgt. Spears was advised that that Juan Cruz had sold (verbal agreement) his car which he identified as a 2003 Jetta Volkswagen, red in color, bearing WI registration ABP-9798, to Mr. Garcia. Det. Sgt. Spears stated that Mr. Cruz stated that Mr. Garcia had never re-registered the vehicle in Mr. Garcia's name. Det. Sgt. Spears noted that the Jetta had been abandoned in the parking lot of the Hilton Garden Inn and towed to AAA Platt's Garage towing in Wisconsin Dells, on August 5, 2020. Sgt. Jesse Spears was advised the vehicle was still in their impound lot. Sgt. Jesse Spears noted that they were advised by Platt's towing personnel that there was a strong odor emitting from the vehicle which you could smell five feet from the vehicle and the interior of the car was full of flies. Sgt. Jesse Spears noted that with consent of the registered owner they began a search of the vehicle. On the rear bumper it was noted that Sgt. Jesse Spears observed what appeared to be a "smear mark" from an unknown substance on the rear bumper. He observed an approximate two-foot-wide markings on the rear bumper where it appeared something had been possibly drug into or drug out of the trunk of the car and made contact with the rear bumper. Det. Sgt. Spears recognized this smear pattern as something similar to a deer hunter loading or removing a deer carcass from a truck's bed and tailgate. The process of pulling a deer carcass in or out of the truck bed will leave a smear pattern on the tailgate and the excess blood and bodily fluids from the deer will remain on the truck tailgate even after it has been exposed to rain and environmental conditions. Det. Sgt. Spears noted once they approached the vehicle and peered into the trunk they observed multiple items scattered throughout the trunk. Det. Sgt. Spears noted that beneath and saturated on these items sitting on top of the trunk floor was what he described as a thick black layer of a liquid substance that had dried leaving a gelatin substance. Det. Sgt. Spears noted that the back of the rear seat and the trunk wall/divider which has contact with the back seat of the vehicle, and the floorboards of the trunk itself had dozens if not hundreds of dead maggots or beetles stuck to the carpeted fabric covering these areas. Det. Sgt. Spears noted that in looking into the trunk from the rear passenger seat and collectively looking at the dark in color foreign substance, beetles and maggots within, the sheer number of dead flies in the car, and the overpowering foul odor. Det. Sgt. Spears noted that based on his law enforcement training and experience of investigating death investigations that what he was looking at was the fluids released through orifices indicating the beginning of a decaying body that had been in the trunk of the vehicle. In looking further, into the trunk where the rear trunk hood meets the metal plating on the lip where the trunk closes. (i.e. where trunk latch meets car body), Det. Sgt. Spears could see a similar "smear mark" on the inside of the trunk which was consistent in location to that of the outside smear on the bumper. It appeared that something wet was pulled in or pulled out of the trunk which left behind a liquid substance. Det. Sgt. Spears noted the vehicle was transported to the Sauk County impound shed for further processing. Det. Sgt. Spears noted that hairs were also found in the trunk, which were sent to the Wisconsin Crime Lab for DNA analysis. Det. Sgt. Spears noted that that the hairs were compared against a pseudo standard (DNA from lipstick from Victim #1's personal property). Det. Sgt. Spears noted that the hair was a match to the DNA on the lipstick.

On October 27, 2020, Investigator Chris Kowalczyk, with the Chippewa County Sheriff's Department, reviewed surveillance footage from Silver Springs, located 2424 Alpine Road, Eau Claire, Wisconsin. Inv. Kowalczyk noted that Silver Springs has video surveillance of North Clairemont Avenue which continues northbound into Chippewa County as County Highway T. Inv. Kowalczyk noted that County Highway T is the highway leading to 2655 County Hwy T, the location where the human remains of Victim#1 were discovered in a suitcase. In the video footage from July 23, 2020, at approximately 5:32 p.m., a 2003 Red Volkswagen Jetta, resembling the description of the suspect vehicle, was observed traveling northbound. Inv. Kowalczyk also observed what appeared to be the same vehicle travelling southbound on North Clairemont Avenue/County Highway T at approximately 5:45: p.m.

STATE OF WISCONSIN - VS - JOSE E DOMINGUEZ-GARCIA

Inv. Kowalczyk noted that the Red Volkswagen Jetta belonging to Jose Dominguez-Garcia was also placed in the Eau Claire area through the purchase of a cellular phone in Eau Claire, Wisconsin on July 23, 2020, at approximately 7:10 p.m.. Inv. Kowalczyk noted that the receipt was discovered at part of the later search of the 2003 Red Volkswagen Jetta. Inv. Kowalczyk noted that law enforcement confirmed that Mr. Garcia was operating the suspect vehicle, a 2003 Red Volkswagen Jetta, after July 23, 2020, and had not reported the vehicle stolen.

Detective Frie with the Reedsburg Police Department noted that on October 20, 2020, he received some of Victim #1's medical records from the Chippewa County Coroner's Office. Det. Frie noted that according to the records Victim #1 had been seen on June 18, 2020, and was reported to be 7 weeks and 5 days pregnant with an estimated delivery date of January 30, 2021. Victim #1 was also seen on July 1, 2020, and it was reported that she was 9 weeks pregnant.

The current whereabouts of Jose Dominguez-Garcia are unknown.

Subscribed and sworn to before me on 12/14/21 Electronically Signed By:

Electronically Signed By: Jodi Gobrecht

WADE C NEWELL Complainant

District Attorney

State Bar #: 1024247

FILED
12-15-2021
Clerk of Circuit Court
Chippewa County, WI
2021CF000819
For Official Use

STATE OF WISCONSIN CIRCUIT COURT CHIPPEWA COUNTY

STATE OF WISCONSIN DA Case No.: 2021CH002141
Plaintiff, Court Case No.:

vs.

JOSE E DOMINGUEZ-GARCIA
DOB: [REDACTED] 1997
Defendant.

**CRIMINAL COMPLAINT
VICTIM KEY**

In the Criminal Complaint the State used pseudonyms to identity certain individuals. The below key identifies the actual individual:

VICTIM #1 ROSALY CINDY CHAVARRIA RODRIGUEZ, DOB: [REDACTED] 1995

VICTIM #2 UNBORN CHILD

Date Signed: 12/09/21
Electronically Signed By:
WADE C NEWELL
District Attorney
State Bar #: 1024247

FILED
12-15-2021
Clerk of Circuit Court
Chippewa County, WI
2021CF000819

BY THE COURT:

DATE SIGNED: December 15, 2021

Electronically signed by Judge James M Isaacson
Circuit Court Judge

STATE OF WISCONSIN CIRCUIT COURT CHIPPEWA COUNTY

For Official Use

STATE OF WISCONSIN

DA Case No.: 2021CH002141

Court Case No.:

Plaintiff,

vs.

CRIMINAL WARRANT

JOSE E DOMINGUEZ-GARCIA

DOB: [REDACTED] 1997

Defendant.

THE STATE OF WISCONSIN TO ANY LAW ENFORCEMENT OFFICER:

A complaint, a copy of which is attached, having been filed with me accusing the defendant of committing the crime of: First Degree Intentional Homicide, 1st-Degree Intent.Homicide-Unborn Child, Hiding a Corpse

Contrary to Wisconsin Statute Section #: 940.01(1)(a), 940.01(1)(b), 940.11(2)

I find that probable cause exists that the crime was committed by the defendant and order that he be held to answer.

BOND OF BODY ONLY WILL BE ACCEPTED IN LIEU OF BODILY PICKUP.

The bond may be posted in lieu of the defendant being brought before the Court forthwith, and if bond is posted, a court date must be authorized by the Clerk of Courts Office.

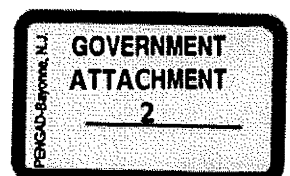
☐ Although the offense charged is a misdemeanor whose maximum penalty does not exceed 6 months, I believe the defendant will not appear in response to a summons.

You are, therefore, commanded to arrest and bring JOSE E DOMINGUEZ-GARCIA before me, or if I am not available, before some other Judge of this County.

☒ WILL EXTRADITE

☐ WILL NOT EXTRADITE – STATE OF WISCONSIN ONLY

12/14/2021



STATE OF WISCONSIN - VS - JOSE E DOMINGUEZ-GARCIA

SERVICE

Date and Time of Arrest _____
Place of Arrest _____
Name of Arresting Officer _____
Court Date given to defendant _____